

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

HOWARD INDUSTRIES, INC.

and

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL 1317

Case 15-CA-164449

**UNION'S EXCEPTIONS TO THE DECISION OF THE ADMINISTRATIVE
LAW JUDGE**

NOW COMES Roger Doolittle, Counsel for the International Brotherhood of Electrical Workers, Local 1317 (Union) and files these Exceptions to the Administrative Law Judge's (ALJ) Decision and Order (ALJD) in the above-captioned case with the National Labor Relations Board (Board).

EXCEPTION No. 1

The Union excepts to the ALJ's failure to definitively rule on the issue as to whether the "Christmas hams are part of the remuneration that employees receive for their work, and thus are subject to the mandatory duty to bargain." (ALJD, p. 7-8, fn. 5):

EXCEPTION No. 2

The Union excepts to the ALJ's finding "Respondent did not violate the Act because Respondent implemented the policy change after following the procedure set forth in the collective-bargaining agreement regarding proposing, negotiating and implementing new or modified policies." (ALJD, p. 1; ALJD, p. 7, line 41; ALJD, p. 8, lines 1-8).

EXCEPTION No. 3

The Union excepts to the ALJ's finding that Respondent's November 6, 2016 email "alone put the Union on notice that Respondent was proposing a new or revised policy." (ALJD, p. 8, lines 3-8).

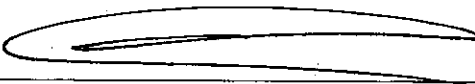
EXCEPTION No. 4

The Union excepts to the ALJ's failure to find that, by not accurately informing the Union of the policy that Respondent was rescinding, that Respondent failed to give the Union Clear and Unequivocal Notice of the proposed Policy Change. (ALJD, p. 8, lines 10-19).

EXCEPTION No. 5

The Union excepts to the ALJ's finding "that the lack of explicit language about Christmas hams does not undermine the validity of Respondent's November 6 email to the Union to propose the Company Gifts to Employees policy." (ALJD, p. 8, fn 6).

Respectfully submitted this 21st day of October 2016.



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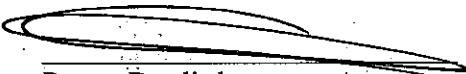
CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2016, I electronically filed a copy of the foregoing Union's Exceptions to the Decision of the Administrative Law Judge with the National Labor Relations Board and forwarded a copy by electronic mail to the following:

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